

# **Exhibit**

# **16**

Plaintiff,

-VS-

No. 03-CV-12428 (WGY)

RAYOVAC CORPORATION,

Defendant.

Videotaped deposition through interpreter of NORBERT SMETANA taken before CAROL CONNOLLY, CSR, CRR, and Notary Public, pursuant to the Federal Rules of Civil Procedure for the United States District Courts pertaining to the taking of depositions, at Braun GmbH, Frankfurter Strasse 145, D-61476 Kronberg im Taunus, Germany, at 10:14 a.m. on the 29th day of April, A.D., 2005.

Norbert Smetana April 29, 2005

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1 THE WITNESS: No, not in combination with attorneys.

2 MR. SHIMOTA: Q So I want to make sure that you  
3 understood me. You are aware that there is a case, a  
4 patent litigation between Rayovac and Braun currently,  
5 correct?

6 A Yes.

7 Q And in connection with that -- let me just set  
8 it aside.

9 In the past year have attorneys come to you,  
10 attorneys from either outside law firm or within Braun  
11 itself, come to you and asked you to provide them with  
12 your documents related to -- documents you possess  
13 related to your work on the shaver cleaning system?

14 A No, no.

15 Q So would you be able to check to see if you  
16 still maintained electronic information -- would you be  
17 able to check to see whether you maintained -- would you  
18 be able to check to see if you still had electronic  
19 information related to your work on the shaver cleaning  
20 system on your personal computer?

21 A The Windows Explorer has such a function.  
22 That's the way it could work, such function with date,  
23 from-to.

24 Q And have you recently performed that search